

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

ALEXANDER ROY SINCLAIR,

Petitioner,

v.

CLARK COUNTY COURTHOUSE et al.,

Respondents.

CASE NO. 3:22-cv-05223-DGE

ORDER

Presently before the Court is Petitioner's motion of notice on due process violation filed on September 26, 2022.<sup>1</sup> (Dkt. No. 15.) The motion was filed more than two months after the Court entered its Order adopting the Report and Recommendation of the Honorable Magistrate Judge Michelle Peterson. (*See* Dkt. No. 11.) As with Petitioner's previous filings, the motion lacks clarity, but appears to re-allege Petitioner's claims concerning ineffective assistance of

<sup>1</sup> The Court notes that Petitioner has filed similar motion in two other cases before this Court. *See Sinclair v. Clark County Prosecutor's Office et al*, 3:22-cv-05161-DGE, Dkt. No. 17 (W.D. Wash. 2022); *Sinclair v. Fairgrieve*, 3:21-cv-05744-LK, Dkt. No. 23 (W.D. Wash. 2022).

1 counsel and violation of his right to a speedy trial. (*Id.*) Petitioner also appears to dispute Judge  
2 Peterson's Report and Recommendation and makes several new claims concerning his apparent  
3 transfer to the Sacramento County Jail. (*Id.*)

4 Because Petitioner re-states his prior claims and appears to challenge Judge Peterson's  
5 findings, the Court construes Petitioner's motion as a motion for reconsideration. Local Civil  
6 Rule 7(h)(1) provides:

7  
8 Motions for reconsideration are disfavored. The court will ordinarily deny such  
9 motions in the absence of a showing of manifest error in the prior ruling or a  
showing of new facts or legal authority which could not have been brought to its  
attention earlier with reasonable diligence.

10 In addition, a motion for reconsideration must be filed "within fourteen days after the order to  
11 which it relates is filed." LCR 7(h)(2).

12 The Court finds that the motion is untimely. Moreover, Petitioner has failed to establish  
13 a manifest error in the prior ruling, and has not presented any new facts or legal authority that  
14 would impact the Court's decision. Accordingly, Petitioner's motion (Dkt. No. 15) is DENIED.

15 Dated this 11th day of October, 2022.

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David G. Estudillo  
United States District Judge